

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: GENERIC PHARMACEUTICALS
PRICING ANTITRUST LITIGATION**

**MDL 2724
16-MD-2724**

THIS DOCUMENT RELATES TO:

State Attorneys General Litigation

HON. CYNTHIA M. RUFÉ

ORDER

AND NOW, this 12th day of May 2022, upon consideration of the attached Joint Stipulation on the Resolution between Plaintiff State of Florida and Defendants regarding the 12th Report and Recommendation, it is hereby **ORDERED** that the Joint Stipulation is **APPROVED**.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: GENERIC PHARMACEUTICALS
PRICING ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

ALL ACTIONS

MDL 2724
16-MD-2724
HON. CYNTHIA M. RUFE

**JOINT STIPULATION ON THE RESOLUTION BETWEEN PLAINTIFF STATE OF
FLORIDA AND DEFENDANTS REGARDING THE 12TH REPORT AND
RECOMMENDATION**

WHEREAS, on April 12, 2022, Special Master David Marion issued his Twelfth Report and Recommendation as to the States' Motion for Protective Order (Re RFP 68) (ECF No. 2050) ("12th R&R");

WHEREAS, the Plaintiff State of Florida and the Defendants have met and conferred to resolve the issues underlying the 12th R&R.

It is hereby stipulated and agreed, by the undersigned counsel, that Defendants' Request for Production No. 68 to be modified for Florida as follows:

Florida will search for and produce any reports, analyses, or studies (including any drafts and underlying data or documents that relate to such reports, analyses, or studies) relating to the price or supply of generical pharmaceutical products that meet one or more of the following conditions:

- (1) Materials possessed and/or created by or for the Florida Office of the Attorney General ("OAG").
- (2) Materials created by or for the Florida Office of Insurance Regulation.
- (3) Florida will produce all pharmaceutical cost data from the Florida Prescription Drug Price Database stored on the OAG computer system.

- i. Defendants reserve their right to seek additional data collected pursuant to the Florida All Payor Claims Database.
 - ii. Florida reserves its right to raise any and all objections to producing additional data, as stated in the immediately preceding paragraph, notwithstanding the 12th R&R.
- (4) Florida will not rely on data from its All Payer Claims Database to inform the basis and amount of Florida's claims for relief in the above-captioned matter.

All documents collected and produced by Florida in response to RFP 68 shall be treated as target documents (also referred to as "go-gets") as defined by the ESI Protocol.

This stipulation resolves the States' Motion for Protective Order relating to RFP 68 as it applies to Florida and, with respect only to Florida, supersedes any order applicable to the Plaintiff States, generally, that might result from objections to the 12th R&R.

IT IS SO STIPULATED.

Dated: May 10, 2022

/s/ Elizabeth A. Brady
Elizabeth A. Brady
Director, Antitrust Division

Andrew H. Butler
Assistant Attorney General
Florida Office of the
Attorney General
PL-01 The Capitol
Tallahassee, FL 32399
Tel: (850) 414-3833
andrew.butler@myfloridalegal.com

Counsel for Plaintiff State of Florida

Respectfully submitted,

/s/ Chul Pak
Chul Pak
WILSON SONSINI GOODRICH & ROSATI
1301 Avenue of the Americas, 40th Floor
New York, NY 10019
Tel: (212) 999-5800
Fax: (212) 999-5899
cpak@wsgr.com

/s/ Devora W. Allon
Devora W. Allon
KIRKLAND & ELLIS LLP
601 Lexington Avenue
New York, NY 10022

Tel: (212) 446-4800
Fax: (212) 446-4900
devora.allon@kirkland.com

/s/ Ryan T. Becker

Ryan T. Becker
FOX ROTHSCHILD LLP
2000 Market Street, 20th Floor
Philadelphia, PA 19103
Tel: (215) 299-2033
Fax: (215) 299-2150
rbecker@foxrothschild.com

/s/ Sarah F. Kirkpatrick

Sarah F. Kirkpatrick
WILLIAMS & CONNOLLY LLP
725 Twelfth Street, NW
Washington, DC 20005
Tel: (202) 434-5000
Fax: (202) 434-5029
skirkpatrick@wc.com

/s/ Sheron Korpus

Sheron Korpus
KASOWITZ BENSON TORRES LLP
1633 Broadway
New York, NY 10019
Tel: (212) 506-1700
Fax: (212) 506-1800
skorpus@kasowitz.com

/s/ Allison Tanchyk

Allison Tanchyk
MORGAN, LEWIS & BOCKIUS LLP
1701 Market Street
Philadelphia, PA 19103
Tel: (215) 963-5847
Fax: (215) 963-5001
allison.tanchyk@morganlewis.com

Defense Liaison Counsel